UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

FILED

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERI

SAMANTHA MAREZ and VERONICA
AYALA, Individually and on Behalf of All
Others Similarly Situated,
Plaintiffs,

V.

Cause No. 5:14-CV-00585-OLG
KHG OF SAN ANTONIO, L.L.C. d/b/a
TIFFANY'S CABARET et al.,
Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

On this date the Court considered the Report and Recommendation (docket no. 79) of United States Magistrate Judge Henry J. Bemporad, in which he recommends the Court GRANT IN PART Plaintiffs' Motion for Conditional Certification of a Collective Action and Authorization of Notice (docket no. 66).

Defendants filed objections to the Magistrate Judge's recommendation (docket nos. 80 and 81). When the parties object to a Magistrate Judge's Report and Recommendation, the Court must make a *de novo* determination of those portions of the report or proposed findings or recommendations to which objection is made. *Kreimerman v. Casa Veerkamp, S.A. de C.V.*, 22 F.3d 634, 646 (5th Cir. 1994); 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b).

The Court has conducted an independent review of the entire record and the applicable law, and a *de novo* review of the matters raised by the parties' objections. *See id.* The Court concludes that Defendants' objections lack merit and should be OVERRULED.

It is therefore ORDERED that the Magistrate Judge's Report and Recommendation (docket no. 83) is ACCEPTED in its entirety pursuant to 28 U.S.C. § 636(b)(1). For the reasons

stated in the Magistrate Judge's Report, Plaintiffs' Motion for Conditional Certification of a Collective Action and Authorization of Notice (docket no. 66) is GRANTED IN PART.

The Court hereby ORDERS the parties to confer on the specifics of the notice, including the form and contents of the notice, the delivery method, and the manner of consent. Defendants are required to provide Plaintiffs, <u>no later than January 12, 2014</u>, with any potential class member's contact information that is in Defendants' possession. The parties are ordered to submit joint proposed notice, or competing options for notice, to Magistrate Judge Bemporad <u>no later than Monday, January 19, 2014</u>.

It is so ORDERED.

SIGNED this _____ day of December, 2014.

United States District Judge Orlando L. Garcia

SM1.